

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re: Buras

Serial No.: 10/749,898

Confirmation No.: 8192

Filed: December 31, 2003

For: Process for Preparing Bitumen
Compositions with Reduced
Hydrogen Sulfide Emissions

§ Atty. Dkt. No.: COS-921

§

§ Group Art Unit: 1755

§

§ Cust. No.: 25264

§

§ Examiner: Brunsman

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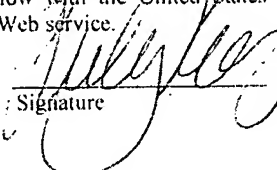
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Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Honorable Commissioner:

CERTIFICATE OF EFS-WEB TRANSMISSION 37 CFR 1.10	
I hereby certify that this correspondence is being deposited on the date below with the United States Patent Office via the EFS-Web service.	
5/6/09 Date	 Signature

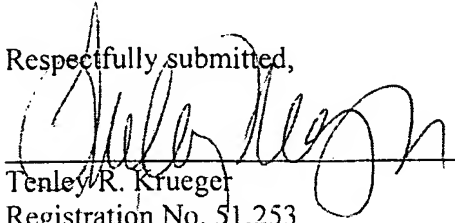
TRANSMITTAL LETTER

In connection with the above identified application, Applicants respectfully submit the following in response to the Notice of Non-Compliant Appeal Brief dated April 29, 2009:

1. Appellants respectfully note that the Notice states that the "brief does not present an argument under a separate heading for each issue on appeal". However, Appellants respectfully disagree. The original Appeal Brief included separate arguments under separate headings for each Section 103 rejection. Accordingly, Appellants have not resubmitted the Appeal Brief herewith as such is not defective.
2. In addition, the Notice appears to state that the Evidence Appendix is defective. Appellants respectfully disagree that the originally filed Evidence Appendix was defective. However, since the only cited Evidence was case law (which is supported by

the MPEP and need not be entered into the record), Appellants have removed such citation from the Evidence Appendix, which is resubmitted herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tenley R. Krueger', is written over a horizontal line.

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Appendix B
Evidence

Not Applicable